



Entered on Docket
February 07, 2007

A handwritten signature in black ink, appearing to read "R. B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

6	STUTMAN, TREISTER & GLATT, P.C.	SHEA & CARLYON, LTD.
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13 *Counsel for the Official Committee of Equity Security Holders of
USA Capital First Trust Deed Fund, LLC*

14 **UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

15 In re:	) BK-S-06-10725-LBR
16 USA COMMERCIAL MORTGAGE COMPANY	) Chapter 11
17 Debtor)
18 In re:	) BK-S-06-10726-LBR
19 USA CAPITAL REALTY ADVISORS, LLC,	) Chapter 11
20 Debtor)
21 In re:	) BK-S-06-10727-LBR
22 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	) Chapter 11
23 Debtor)
24 In re:	) BK-S-06-10728-LBR
25 USA CAPITAL FIRST TRUST DEED FUND, LLC,	) Chapter 11
26 Debtor.)
27 In re:	) BK-S-06-10729-LBR
28 USA SECURITIES, LLC,	) Chapter 11
Debtor.)
Affects)
<input type="checkbox"/> All Debtors)
<input type="checkbox"/> USA Commercial Mortgage Co.)
<input type="checkbox"/> USA Securities, LLC)
<input type="checkbox"/> USA Capital Realty Advisors, LLC)
<input type="checkbox"/> USA Capital Diversified Trust Deed)
<input checked="" type="checkbox"/> USA Capital First Trust Deed Fund, LLC)

DATE: January 31, 2007

TIME: 9:30 a.m.

1 **ORDER RE OMNIBUS OBJECTION OF THE OFFICIAL COMMITTEE OF EQUITY**
2 **SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC TO**
3 **CLAIMS SUPERSEDED BY COMPROMISE CONTAINED IN DEBTORS' THIRD**
4 **AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION (AS**
5 **MODIFIED)(AFFECTS DEBTORS USA CAPITAL FIRST TRUST DEED, LLC.)**

6 The Court having considered the Omnibus Objection of the Official Committee of
7 Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Claims Superceded by
8 Compromise Contained in Debtors' Third Amended Joint Chapter 11 Plan of Reorganization
9 (as Modified)(the "Objection")(Docket No. 2295); Candace C. Carlyon, Esq. of the law firm of
10 Shea & Carlyon, Ltd. appearing on behalf of the movant (with any other appearances having
11 been noted in open court); the Court having considered the Objection; adequate notice of the
12 Objection having been given; this Court having approved the Stipulation Between Official
13 Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC and Kantor
14 Claimants Continuing Hearing on Omnibus Objection of the Official Committee of Equity
15 Security Holders of USA Capital First Trust Deed Fund, LLC To Claims Superseded by
16 Compromise Contained in Debtors' Third Amended Joint Chapter 11 Plan of Reorganization
17 (as Modified) continuing the Objection only as to the claims of Kantor Nephrology Consultants,
18 Ltd. 401(k) PSP [Claim No. 123], Dr. Gary Kantor [Claim No. 124], and Lynn M. Kantor
19 [Claim No. 125](collectively, the "Kantor Claims")(Docket No. 2559); and there having been
20 no response filed to the Objection; and good cause appearing:
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22 IT IS HEREBY ORDERED that, except as to the Kantor Claims, the Objection is

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1 sustained, and the following Claims are disallowed:

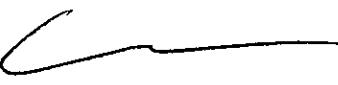
2 Claim No. 115 (Brian M. Adams)

3 Claim No. 118 (Herman M. Adams, Brian M. Adams, Anthony G. Adams)

4 Claim No. 119 (Olympia Capital Management)

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6 SUBMITTED BY:

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65 Executory Contract Rights of USA
66 Commercial Mortgage

1 REVIEWED:
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OFFICE OF THE U.S. TRUSTEE

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RULE 9021 DECLARATION

In accordance with Local Rule 9021, the undersigned certifies:

- The Court waived the requirements of LR 9021.
- I have delivered a copy of proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and each has:
 - approved the form of this order;
 - waived signature in open court; and/or
 - failed to file and serve papers in accordance with LR 9021(c).
- I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the order:
 - No opposition was filed to the motion and no other party or counsel appeared at the hearing.

DATED this 6¹7 day of February, 2007.

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